



Introduction to the

Inter-American MRA

Efrain Guevara
Industry Canada

What is the Inter-American Mutual Recognition Agreement?



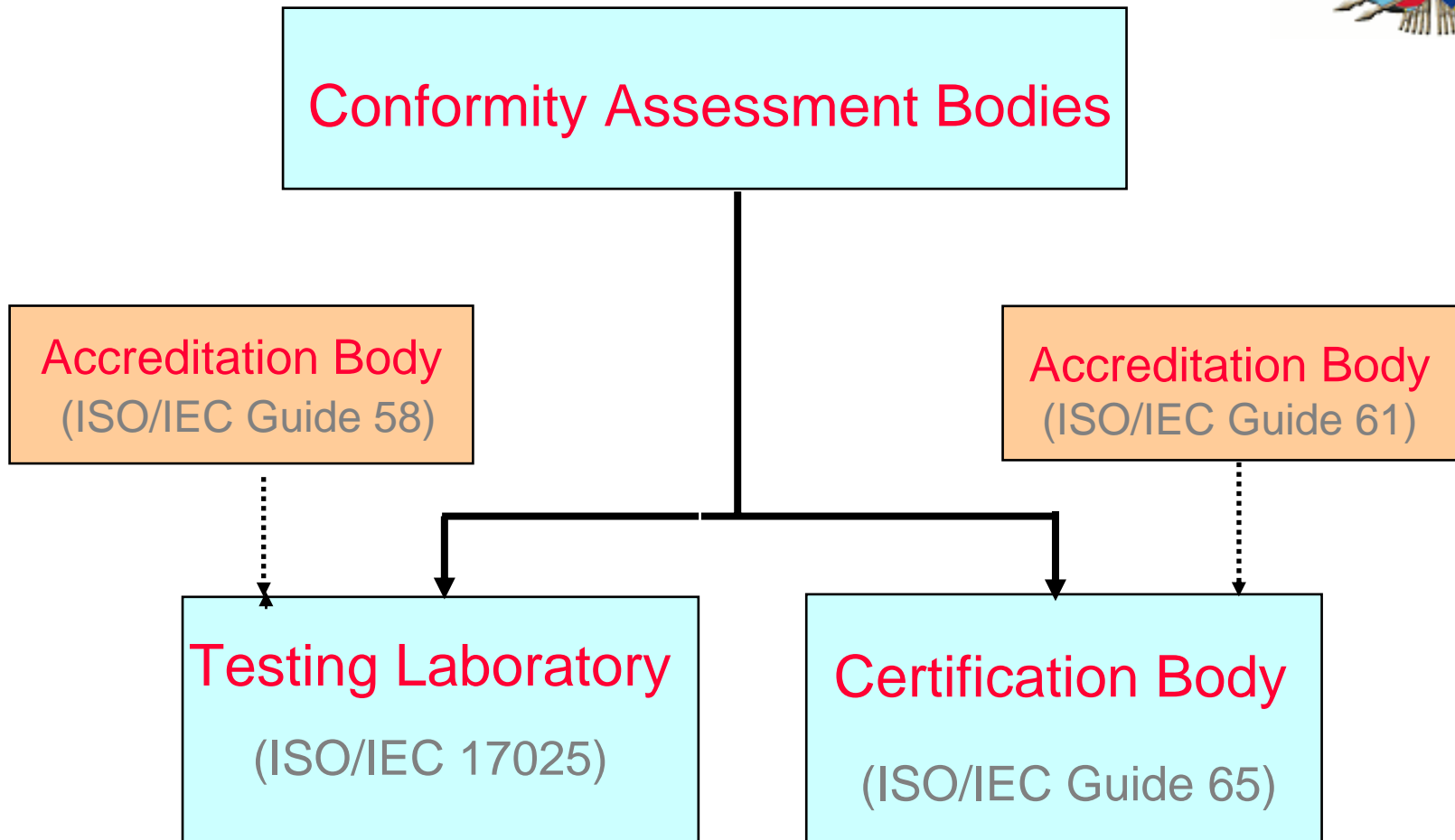
- A multilateral, single sector, agreement between **participating** OAS CITEL countries that agree to use the conformity assessment procedures in Appendix A of the Inter-American MRA
- Endorsed by PCC.I , November, 1999
- Text of MRA - <http://www.citel.oas.org/pcc1.asp>
- Participation is voluntary; however, participating countries have certain rights and obligations.
- Allows Conformity Assessment Bodies (CABs) in participating countries to test (Phase I) or certify (Phase II) telecom products to the importing country's mandatory technical requirements
- Limited to conformity assessment procedures and does **not** attempt to address the issue of standards

Inter-American MRA (Key elements)



- **Scope:** equipment subject to mandatory telecommunication requirements
- **Coverage:** EMC, Electrical Safety, Telecom
- **Phases:**
 - ✓ Phase I -- acceptance of test results
 - ✓ Phase II -- acceptance of equipment certification
 - ✓ CABs:
 - ✓ testing laboratories
 - ✓ certification bodies
- **Competence:** determined using ISO/IEC Guides/Standard 17025, 58, 61 & 65, plus appropriate technical regulations

Conformity Assessment Bodies



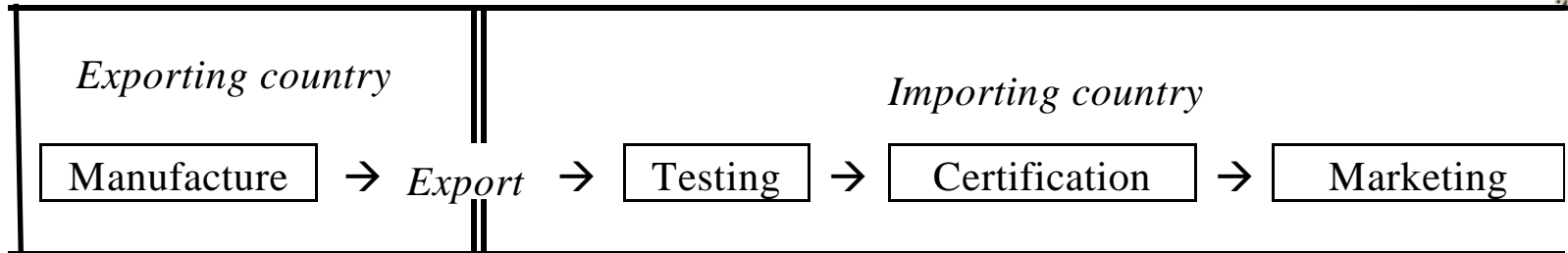
Benefits of MRAs



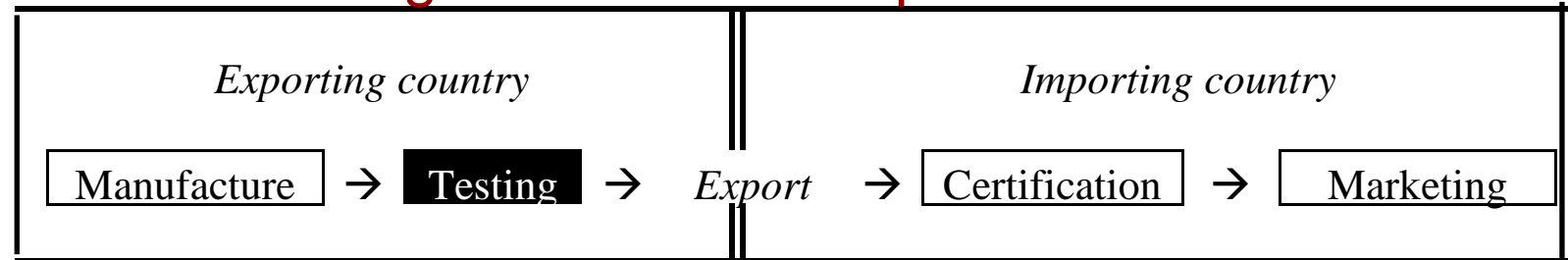
- **Products may be shipped directly to foreign countries without any further requirements for testing and/or certification, thereby reducing costs and time to market**
- **Facilitate trade by promoting market access**
- **Reduces and minimizes non-tariff trade barriers**
- **Promotes market access and competition**
- **Shortens the time for manufacturers to introduce their products into the importing countries**



Present Situation



Mutual Recognition of Test Reports



Mutual Recognition of Certification

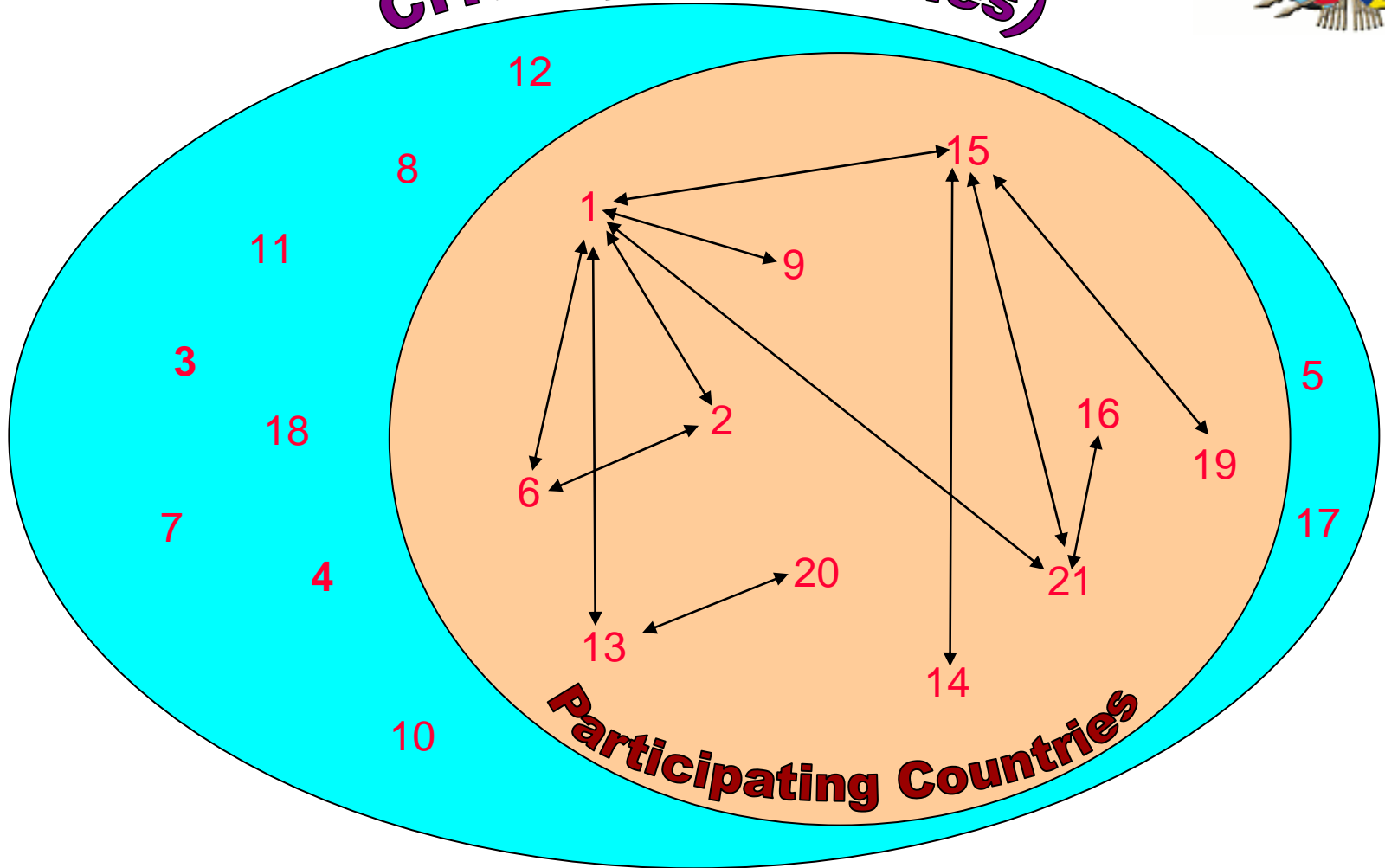


MRA Participation

(Participation is voluntary)



CITEL (34 Countries)





Contents of the MRA

- Introduction
- Purpose of the agreement
- General Provisions
- Definitions and Interpretations
- Scope
- Designating Authorities
- Designation of CABs and Appointment of ABs
- Recognition of CABs and Mutual Acceptance of the Results of CA Procedures
- Verification of CABs
- Commencing the Agreement and Initiating Participation in Phase I or Phase II Procedures
- Information Exchange
- Joint Committee
- Additional Provisions
- Confidentiality
- Preservation of Regulatory Authority
- Fees
- Amendment and Termination of Agreement
- Final Provisions



Contents of the MRA (continued)

- I. Appendix A**
 - A. Common Requirements
 - B. Designation of Testing Laboratories
 - C. Designation of Certification Bodies
- II. Appendix B – Phase I procedures for mutual recognition of testing laboratories as CABs and mutual acceptance of test results**
 - A. Scope
 - B. Designation and Recognition of CABs
 - C. Participation in Phase I Procedures
 - D. Transition Periods
 - E. Mutual Acceptance of Test Reports
 - F. Processing of Applications
 - G. Suspension of Mutual Recognition and Acceptance Obligations
- III. Appendix C – Phase II procedures for mutual recognition of certification bodies as CABs and mutual acceptance of equipment certifications**
 - A. A-G Same as above, except change Phase I to Phase II and testing to certification
- IV. Annexes I – Annexes IV**

MRA Annexes



- **Annex I – List of the Technical Regulations for Each Participating Country**
- **Annex II – List of Name and Address of Each Designating Authority and Accreditation Body for Each Participating Country**
- **Annex III – List of Name and Address of Each CAB Designated by Each Participating Country**
- **Annex IV – List of Name and Address of Each CAB or MRAs by AB Recognized by Each Participating Economy**

Summary of MRA by paragraph



Introduction (Preamble)

- Trade facilitation measure in support of the WTO Agreement on Technical Barriers to Trade (TBT) obligations.
- Participation is voluntary. (The agreement is not legally binding; however, it does infer certain rights and responsibilities for participating countries.)
- Parties may exchange letters if useful.

1. Purpose of Agreement

- To provide for the mutual acceptance of other parties' CA results for a wide range of telecommunications equipment subject to mandatory requirements

2. General Provisions

- Introduces and brings into the agreement the designating and monitoring procedures in Appendices A, B and C

3. Definitions and Interpretations

- Introduces ISO/IEC Guide definitions and key definitions
- Technical regulations - means mandatory requirements

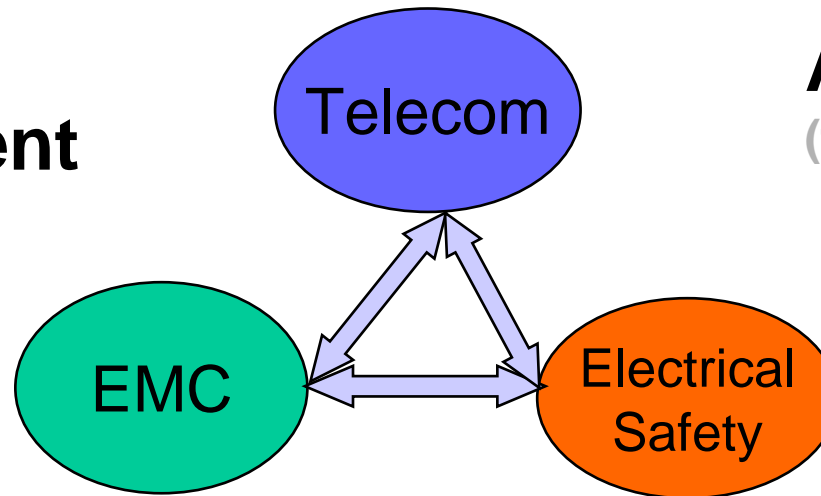
Summary of MRA by paragraph



4. Scope

- agreement applies to the Technical Regulations listed by each participating party in ANNEX I – applies to network terminal attachment and other telecommunication equipment. Coverage includes Telecom equipment, EMC and Electrical Safety.

**Telecom
Equipment**



Annex I
(for each party)

Summary of MRA by paragraph



5. Designating Authority (DA)

- A government entity that designates, lists, verifies competence of, limits and withdraws designation of Conformity Assessment Bodies (CABs) within its jurisdiction.
- An independent accreditation body may be appointed to determine competence of CABs. The DAs and ABs will be listed in ANNEX II by each party.

6. Designation of CABs and Appointment of ABs

- Each DA (listed in ANNEX II) may designate CABs to perform conformity assessment activities to the other party's requirements.
- Designations must follow the procedures in Appendix A
- Mutual recognition agreements between accrediting bodies may be used, provided they follow Appendix A

Summary of MRA by paragraph



7. Recognition of CABs and Mutual Acceptance of the Results of Conformity Assessment Procedures

- Under the procedures specified for Phase I and Phase II, a party (Regulatory Authority) will recognize CABs and accept the results performed by those CABs.

8. Verification of CABs

- Parties have the right to contest a CABs technical competence following due process procedures.
- The Joint Committee may become involved to assist in resolving the differences.

Summary of MRA by paragraph



9. Commencing the Agreement and Initiating Participation in Phase I or Phase II Procedures

- Agreement endorsed November, 1999
- Party must notify the CITEI Secretariat when they are ready to participate, which in turn will notify the other countries
- Each party must provide the other parties with certain information (Some countries may accomplishing this through an exchange of letters.)

10. Information Exchange

- Technical regulations are listed in Annex I for each party. Changes to regulations must be publicly available.
- DA and AB (Annex II), designated CABs (Annex III), recognized CABs (Annex IV) must be kept current

Summary of MRA by paragraph



11. Joint Committee

- Joint party established consisting of representatives from each party

12. Additional Provisions

- Each party will endeavor to use international standards as a basis for its technical regulations

13. Confidentiality

- A party, in accordance with applicable laws, will protect proprietary information.

14. Preservation of Regulatory Authority

- Each party retains all authority under its laws to interpret and enforce its technical regulations governing equipment covered by this Agreement.

Summary of MRA by paragraph



15. Fees

- The parties will ensure that any fees charged will be non-discriminatory, transparent, and reasonable

16. Amendment and Termination of Agreement

- May be amended by mutual written consent of the participating parties
- A party may terminate its participation by giving 6 months notice

17. Final Provisions

- Agreement is inclusion of Appendices A-C and Annexes I-IV, with appendices taking precedence in cases of inconsistencies

Summary of MRA by paragraph



Appendix A – Designation and Monitoring Requirements for CABs

- Specifies designation and monitoring rules for testing labs and certification bodies

A. Common Requirements

- DA may appoint Accreditation Bodies (AB) provided certain conditions are met, which includes the use of the relevant international guides/standards; i.e. ISO/IEC 17025, 58, 61 & 65.
- AB encouraged to participate in agreements between accreditation bodies such as ILAC, APLAC, and NACLA

Summary of MRA by paragraph



Appendix A:

B. Designation of Testing Laboratories (TL)

- A party may use one or more Designating Authorities or Accrediting Bodies to determine the competence of a laboratory to test equipment to the other party's technical regulations
- The DA or AB must be capable of meeting of ISO/IEC Guide 58
- The TL must be accredited to ISO/IEC 17025 to the appropriate scope and technical regulations
- The DA may require the TL to demonstrate competence through: Regional AB MRA, peer evaluations, proficiency testing or comparison between testing laboratories
- Each CAB will have a 6 character identifier

Summary of MRA by paragraph



Appendix A:

C. Designation of Certification Bodies (CB)

- A party may use one or more Designating Authorities or Accrediting Bodies to determine the competence of a body to certify equipment to the other party's technical regulations
- The DA or AB must be capable of meeting of ISO/IEC Guide 61
- The CB must be accredited to ISO/IEC Guide 65 to the appropriate scope and technical regulations using a team of technical experts to determine competence for each type of equipment and discipline.
- The CB must also be accredited to ISO/IEC 17025 and be capable of testing equipment for which it approves
- Sub-contracting per Guide 65 permitted
- CB must establish an acceptable market surveillance program in accordance with Guide 65
- Each CB will have a 6 character identifier established by the DA

Summary of MRA by paragraph



Appendix B – Phase I Procedures for Mutual Recognition of Test Labs as CAB and Mutual Acceptance of Test Reports

1. Scope

- Specifies the procedure for mutual recognition of TLs and the acceptance of test reports relating to the technical regulations identified in ANNEX I for Phase I for each party

2. Designation and Recognition of CAB

- The DA of the exporting party accredits and designates CABs as being competent to test equipment subject to the technical requirements of the importing party listed in ANNEX I.
- The importing party (RA) upon receipt of the exporting parties designation will evaluate and recognize CABs in a fair and transparent manner. The JC may be used for the review process in cases of dispute.
- Consistent with paragraph 5.3 of the MRA, an exporting party may appoint an AB which has entered into a MRA with other ABs to accredit CABs.
- The exporting party must complete ANNEX III and the importing party must complete ANNEX IV

Summary of MRA by paragraph



Appendix B – Continued

3. Participation in Phase I Procedures

- Details the appropriate ANNEXES that each party needs to complete

4. Transition Periods

- Establishes a procedure to build confidence with the aid of familiarization and training among participating parties

5. Mutual Acceptance of Test Reports

- Establishes a procedure for the fair and transparent handling of test reports by recognized CABs.

6. Processing of Applications

- Establishes timetable for processing applications

7. Suspension of Mutual Recognition and Acceptance Obligations

- Establishes procedure for suspension of MRA

Summary of MRA by paragraph



Appendix C – Phase II Procedures for Mutual Recognition of CBs as CAB and Mutual Acceptance of Equipment Certifications

1. Scope

- Specifies the procedure for mutual recognition of CBs and the acceptance of approval of equipment meeting the technical regulations identified in ANNEX I for Phase I for each party

2. Designation and Recognition of CABs

- The DA of the exporting party accredits and designates CBs as being competent to approve equipment subject to the technical requirements of the importing party listed in ANNEX I. Consistent with paragraph 5.3 of the MRA, the DA may appoint an AB to accredit the CB for the procedures in Appendix A.
- The importing party (RA) upon receipt of the exporting parties designation will evaluate and recognize the CB in a fair and transparent manner. The JC may be used for the review process in cases of dispute.
- The exporting party must complete ANNEX III and the importing party must complete ANNEX IV

Summary of MRA by paragraph



Appendix C – Continued

3. Participation in Phase II procedures

- Details the appropriate ANNEXES that each party needs to complete

4. Transition Periods

- Establishes a procedure to build confidence with the aid of familiarization and training among participating parties

5. Mutual Acceptance of Equipment Certifications

- Establishes a procedure for the fair and transparent handling of equipment certification produced by a recognized CBs.

6. Suspension of Mutual Recognition and Acceptance Obligations

- Establishes procedure for suspension of MRA